

Amendments to the Drawings:

The attached sheets of drawings include changes to Figures 2A-2B and 7. These sheets, which include Figs. 2A-2B and 7-8, replace the original sheets including Figs. 2A-2B and 7.

Attachment: Replacement Sheets

REMARKS

Claims 19, 21-22, 24, 27-29, 31-33, 36, and 40-43 will be pending upon entry of the present amendment. Claim 38 is being canceled. No new matter is being presented.

The present amendment is being filed with a new notice of appeal to begin a new appeal. Please note that the discussion on page 2 of the office action regarding steps to be taken to avoid abandonment of the application is from an outdated version of the MPEP. A copy of §1207.04 from the current MPEP is enclosed and states that to avoid abandonment of the application, the applicant may “(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal.” The last paragraph on the second page of the enclosed copy of Section 1207.04 further states that “if appellant elects to initiate a new appeal by filing a notice of appeal, appellant must file a complete new brief in compliance with the 37 CFR 41.37 within two months from the filing of the new notice of appeal.” As such, a new appeal brief is not yet being filed.

The present amendment cancels claim 38 and makes minor changes to the specification and figures to place the application in better condition for appeal. Accordingly, the applicants request entry of the amendment.

The drawings were objected to under 37 CFR 1.83(a) as failing to show a projecting portion shaped to form a ring. The applicant respectfully disagrees because original Figures 7-8 (as well as the enclosed replacement Figures 7-8) show a projecting portion 51 in the shape of a ring. As noted on page 3, lines 18-20, Figures 7-8 are section views, and thus, only left and right portions of the ring-shaped projecting portion 51 is seen. Such a sectional view depiction is commonly used to depict ring-shaped features and would be easily understood by a person skilled in the art, especially when viewed in conjunction with pages 7-8 of the specification which clearly specify the projecting portion 51 as being ring-shaped.

The drawings were objected to under 37 CFR 1.83(a) as failing to show a projecting portion surrounded by a dyke. The applicant respectfully disagrees because the replacement drawings of Figs. 2A-2B filed with the Amendment filed December 3, 2002, the formal replacement drawings of Figs. 2A-2B filed with the Amendment filed February 16, 2006,

and the enclosed replacement drawings of Figs. 2A-2B show a projecting portion 51 surrounded by a dyke 52. As stated previously, support for such replacement drawings can be found in original claim 22 and page 4, lines 14-16 of the original specification. Please note that lines 14-16 of page 4 were amended in the Amendment filed on December 3, 2002 to label the dyke as item 52.

Figures 7-8 were objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include reference number 14 mentioned on page 8, line 6 of the original application. Reference number 14 was a typographical error and is being amended to recite reference number 13 to be consistent with pages 5-6 of the specification which repeatedly refer to a lug 13. In addition, Figure 7 is being amended to indicate the lug 13 for the Examiner's convenience, although such amendment is not required by 37 CFR 1.84(p)(5). Section 1.84(p)(5) merely states that "Reference characters not mentioned in the description shall not appear in the drawings. Reference characters mentioned in the description must appear in the drawings." Reference character 13 appears in original Figure 3, and thus, is not required to be repeated in Figure 7.

Figures 2A-2B were objected to as failing to comply with Section 1.84(p)(5) because they do not include reference sign 50. The applicant disagrees with this objection because reference sign 50 already appears in Figures 4-6, and as stated above, nothing in Section 1.84(p)(5) requires a reference number to be repeated in more than one Figure. However, Figures 2A-2B are being amended to indicate the layer 50, which, as indicated on page 4, lines 12-13, is shaped to form the projecting portion 51.

Figures 7-8 were objected to as failing to comply with Section 1.84(p)(5) because they include reference characters 20 and 42, which were not mentioned in the description of Figures 7-8. The applicant disagrees with this objection because items 20 and 42 are discussed at page 4, lines 1-4 and 27-28; page 5, lines 2-3; and page 6, lines 7-8 and 19-21. As noted above, Section 1.84(p)(5) does not require each reference number to be discussed repeatedly with every figure. The reference characters 20 and 42 are mentioned in the specification and shown in various figures, which satisfies Section 1.84(p)(5).

Claims 33, 38, 40, and 42 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement and with the enablement requirement. Claim 38 is being canceled to simplify the appeal. The applicants disagree with the rejections as applied to claims 33, 40, and 42, and will provide remarks in the new appeal brief to be filed in furtherance of the new appeal.

All of the pending claims were rejected under 35 U.S.C. § 103 as being unpatentable over U.S. Patent No. 5,105,262 to Grider in view of U.S. Patent No. 5,948,991 to Nomura. In addition, all of the pending claims were rejected under 35 U.S.C. § 103 as being unpatentable over U.S. Patent No. 4,894,707 to Yamawaki et al. in view of Nomura. Given the history of this case, which includes seven substantive office actions with no claims deemed allowable, the applicant declines to continue with the reopened prosecution and is re-entering the appeal stage.

The Commissioner is authorized to charge any additional fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 19-1090.

All of the claims remaining in the application are now clearly allowable. Favorable consideration and a Notice of Allowance are earnestly solicited.

Respectfully submitted,

SEED Intellectual Property Law Group PLLC

/Dennis M. de Guzman/

Dennis M. de Guzman
Registration No. 41,702

Enclosures: Copy of Current MPEP §1207.04
Replacement Drawings (2)

701 Fifth Avenue, Suite 5400
Seattle, Washington 98104-7092
Phone: (206) 622-4900 / Fax: (206) 682-6031
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